

Legal Notice of Decision
Black Hills Project and Forest Plan Amendment #37
USDA - Forest Service
Fremont-Winema National Forest
Bly Ranger District
Klamath County, Oregon

On January 11, 2012 Fremont-Winema National Forest Supervisor, Fred Way, signed the Decision Notice and Finding of No Significant Impact (FONSI) for the Black Hills Project and associated Forest Plan Amendment #37. He has selected Alternative 2 for implementation because it best meets the purpose and needs associated with the proposed project and is a responsible course of action. Commercial thinning will occur on approximately 16,072 acres using ground-based equipment, while approximately 2,644 acres will be treated using helicopter logging systems. Thinning will be followed with prescribed fire on about 20,000 acres. A suite of other restoration actions are included this decision along with Forest Plan Amendments related to old growth and white fir trees >21". A complete description of all activities can be found in both the Environmental Assessment and the Decision Notice/Finding of No Significant Impact, which are available for review on the Fremont-Winema National Forests web site at <http://www.fs.usda.gov/projects/fremont-winema/landmanagement/projects>

This decision is subject to appeal pursuant to regulations at 36 CFR 215. Individuals or organizations who provided comment or otherwise expressed interest in the proposed action during the comment period may appeal. Interest expressed or comments provided on this project prior to or after the close of the comment period do not have standing for appeal purposes. The appeal must be filed (regular mail, fax, email, hand-delivery, express delivery, or messenger service) with the appropriate Appeal Deciding Officer, Regional Forester Kent Connaughton. Submit appeals to: Appeal Deciding Officer, ATTN: 1570 APPEALS, P.O. Box 3623, Portland, Oregon, 97208-3623, faxed to (503) 808-2339, sent electronically to appeals-pacificnorthwest-regional-office@fs.fed.us (within actual e-mail message or as a .doc, .rtf, or .txt attachment), or hand delivered to 333 SW First Avenue, Portland, Oregon between 7:45AM and 4:30PM, Monday through Friday, excluding legal holidays. The appeal must have an identifiable name attached or verification of identity will be required. Names and addresses of appellants will become part of the public record. A scanned signature may serve as verification on electronic appeals.

Appeals, including attachments, must be in writing, fully consistent with 36 CFR 215.14, and filed (postmarked or delivered) within 45 days of the date the legal notice for this decision appears in the Klamath Falls *Herald and News*. The publication date of the legal notice in the Klamath Falls *Herald and News* is the exclusive means for calculating the time to file an appeal and those wishing to appeal should not rely on dates or timeframes provided by any other source. Only individuals or organizations that submitted comments during the comment period may appeal. It is the appellant's responsibility to provide sufficient project or activity specific evidence and rationale, focusing on the decision, to show why the Responsible Official's decision should be reversed.

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

For further information contact Jody Perozzi at the Bly Ranger District, 541-353-2723 or send an e-mail to jperozzi@fs.fed.us.

The U.S. Department of Agriculture is an equal opportunity provider and employer.